

Attorney Docket No. 1761.1053

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Hisashi OHTSUKI et al.

Application No.: 10/780,646

Group Art Unit: 2834

Filed: February 19, 2004

Examiner: Unassigned

For:

**ELECTRICALLY POWERED BRAKE SYSTEM** 

## INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure provisions of 37 CFR § 1.56, there is hereby provided certain information, which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the subject application.

1.	E	nclosures	accompanying this Information Disclosure Statement are:
		1a. ⊠ 1b. ⊠	Form PTO-1449. Copies of IDS citation(s), except for U.S. Patents and U.S. Patent
		10.	Application publications for applications filed on or after June 30, 2003, in accordance with OG Notice of August 5, 2003.
		1c. 🛚	English language copy of a communication(s) from a foreign Patent Office or a PCT International Search Report.
		1d. 🗌	English language translation (complete, Abstract or relevant portion(s)) attached to non-English language publications as indicated on the attached Form PTO-1449.
		1e. 🛚	Explanations of Relevancy of References (ATTACHMENT 1(e), hereto) for providing a concise explanation of non-English publications.
		1f. 🔲	List of Copending Applications (ATTACHMENT 1(f), hereto).
		1g. 🗌	List of Additional Submitted Documents (ATTACHMENT 1(g), hereto).
2.	$\boxtimes$	This Infor	mation Disclosure Statement is filed under 37 CFR § 1.97(b):
			(Check either Item 2a or 2b or 2c or 2d)
		2a. 🗌	Within three months of the filing date of a national application;
		2b. 🗌	Within three months of the date of entry of the national stage as set forth in
		20 ☑	§ 1.491 in an international application.  Before the mailing of a first Office Action on the merits; or
		2c. ⊠ 2d. □	Before the mailing of a first Office Action of the ments, of Before the mailing of a first Office Action after the filing of a Request for
		~u. [_]	Defere the maining of a mot ember follow after the ming of a requestion

Continued Examination under § 1.114.

Serial No.: 10/780,646

3.		This Information Disclosure Statement is filed under 37 CFR § 1.97(c) after the period specified in paragraph 2 above but before the mailing date of any of a Final Office Action under § 1.113, a Notice of Allowance under § 1.311 or an action that otherwise closes prosecution in the application, AND					
			(Check either Item 3a or 3b; Item 3b to be checked if any reference known for more than 3 months)				
		3a. 🗌 3b. 🔲	The § 1.97(e) Statement in Item 5 below is applicable; OR The \$180.00 fee set forth in 37 CFR § 1.17(p) is:  enclosed.				
			to be charged to Deposit Account No. 19-3935.				
4.	specified in paragraph 3 above,		mation Disclosure Statement is filed under 37 CFR § 1.97(d) after the period in paragraph 3 above, but on or before payment of the Issue Fee, AND				
		4a. 🗌 4b. 🔲	The § 1.97(e) Statement in Item 5 below is applicable; AND The \$180.00 fee set forth in 37 CFR § 1.17(p) is:  enclosed.				
			to be charged to Deposit Account No. 19-3935.				
5.		Statemen	t under § 1.97(e) (applicable if Item 3a or Item 4a is checked) (Check either Item 5a or 5b)				
		5a. 🗌	In accordance with 37 CFR § 1.97(e)(1), it is stated that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.				
		5b. 🗌	In accordance with 37 CFR § 1.97(e)(2), it is stated that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known by any individual designated in § 1.56(c) more than three months prior to the filling of this Information Disclosure Statement.				
6.		This is a o	continuation/divisional/continuation-in-part application under 37 CFR §				
			(Check appropriate Items 6a and/or 6b)				
		6a. 🗌	Copies of the publications listed on the attached Form PTO-1449 which were previously cited in prior application Serial No, filed on, and which is relied on for an earlier effective filing date for the subject application under 35 U.S.C. § 120, have been omitted pursuant to 37 CFR § 1.98(d).				
		6b. 🗌	Copies of the publications listed on the attached Form PTO-1449 which were not previously cited in prior application Serial No, filed on, and which is relied on for an earlier effective filing date for the subject				

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7.		This is a Request for Continued Examination under 37 CFR § 1.114.  (Check either Item 7a or 7b)							
		7a.   7b.		The Issue Fee has not been paid.  A Petition to Withdraw from issue under 37 CFR § 1.313(c) is filed concurrently herewith or has been granted. A Request for Continued Examination under 37 CFR § 1.114, after payment of the Issue Fee, is proper in accordance with 37 CFR § 1.114(a), respectively.					
8.  This is a Supplemental Information Disclosure Statement.									
				(Check either Item 8a or 8b)					
		8a.		This Supplemental Information Disclosure Statement under 37 CFR § 1.97(f) supplements the Information Disclosure Statement filed on A bona fide attempt was made to comply with 37 CFR § 1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental IDS can					
		8b.		be considered as if properly filed on  This Supplemental Information Disclosure Statement is timely filed within one (1) month of the Notice under 37 CFR §§ 1.97 and 1.98, mailed					
9.	In accordance with 37 CFR § 1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:  (Check appropriate Items 9a, 9b, 9c and/or 9d)								
		9a.		satisfied for the non-English language publications cited on the enclosed "English language version of the search report or action which indicates the degree of relevance found by the foreign office". (See MPEP § 609, Minimum Requirements for an Information Disclosure Statement, Part A(3): Concise Explanation of Relevance, 8th Ed., Rev. 2)					
		9b. 9c.		set forth in the application. satisfied for the non-English language publication(s) indicated on the attached Form PTO-1449 as having an English language translation (complete or relevant portion(s)) attached thereto.					
		9d.	$\boxtimes$	enclosed as Attachment 1(e), hereto.					
10.	No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than search report(s) from a counterpart foreign application or a PCT International Search Report, if submitted herewith). 37 CFR §§ 1.97(g) and (h).								

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11. The Commissioner is authorized to credit any overpayment or charge any additional fee required under 37 CFR § 1.17 for this Information Disclosure Statement to Deposit Account No. 19-3935.

Respectfully submitted,

**STAAS & HALSEY LLP** 

Dated: New York Ave., N.W., 7th Floor

Washington, D.C. 20005 Telephone: (202) 434-1500 Facsimile: (202) 434-1501 David M. Pitcher

Registration No. 25,908

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EXAMINEF	?	DOCUMENT NO.	DATE	NAME			SUB- CLASS	FILING DATE
	AA	2002/167305	11/14/2002	Sentoku et al.				
1	AE	5,184,069	02/02/1993	Adler et al.				
	AC	5,640,087	06/17/1997	Alff				
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			FOREIGN PA	ATENT DOCUM	MENTS		***************************************	
		DOCUMENT NO.	DATE	COU	NTRY	TRANSI YES	_ATION NO	ABSTRAC
	AG	EP 0 671 628 A1	09/13/1995	Europe			X	
	АН	EP 0 947 724 A2	10/06/1999	Europe			X	
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OTHER R	EFER	ENCES (Including	g Author, Title,	Date, Pertine	nt Pages, Etc	;.)		TRANSLATIO YES NO
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ATTACHMENT 1(e)

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ATTORNEY DOCKET NO.	APPLICATION NO.
1761.1053	10/780,646
FIRST NAMED INVENTOR	
Hisashi OHTSUKI et al.	
FILING DATE	GROUP ART UNIT
February 19, 2004	2834

## EXPLANATIONS OF RELEVANCY OF REFERENCES

Patent Application publication No. 0671628 which was published on September 13, 1995. Both the above-mentioned patent applications claim priority to the foreign Application - FR 94,02626, filed on March 8, 1994.